

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 9-14 have been added.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-14 are now pending in this application.

Objection to the Specification

The specification is objected to for not containing drawing numeral 31a. Applicant notes that drawing numeral 31a is discussed in the specification. For example, drawing numeral 31a is discussed on page 10, line 20, of the specification. Withdrawal of this objection is respectfully requested.

Rejection under 35 U.S.C. § 102

Claims 1-4 and 6-8 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,709,783 (hereafter "Ogata et al."). This rejection is respectfully traversed as it may be applied against amended claims 1, 7, and 8 for at least the reasons provided below.

Amended claim 1 recites a battery module that includes "a plurality of stacked cells being stacked, in each of which an electrolyte solution and a power generation element formed by stacking electrode plates are hermetically sealed by a package formed by a sheet, and electrode terminals connected individually to the electrode plates of the power generation element are drawn outward from the package formed by a sheet," a pair of pressuring members, a pressing mechanism, and a managing member. Claims 7 and 8 includes similar limitations.

Ogata et al. discloses a battery pack cooling structure that includes battery modules 2 tied together with end plates by restraining bands to form a battery pack 1. See Ogata et al. at col. 2, lines 59-63. Ogata et al. discloses that the battery cases 3 include electrode plate groups that are made up of stacked positive electrode plates, negative electrode plates, and separators. However Ogata et al. does not disclose that “a power generation element formed by stacking electrode plates [is] hermetically sealed by a package formed by a sheet.” Ogata et al. is silent in regard to a hermetically sealed package formed by a sheet. Nor does Ogata et al. disclose that “electrode terminals...are drawn outward from the package formed by a sheet.” For at least these reasons, Ogata et al. does not disclose all of the features of claims 1, 7, and 8. Withdrawal of this rejection is respectfully requested.

Rejection under 35 U.S.C. § 103

Claim 5 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Ogata et al. in view of U.S. Patent No. 6,821,671 (hereafter “Hinton et al.”). This rejection is respectfully traversed. Hinton et al. fails to remedy the deficiencies of Ogata et al. Hinton et al. does not disclose, teach, or suggest that “a power generation element formed by stacking electrode plates [is] hermetically sealed by a package formed by a sheet.” Nor does Hinton et al. disclose, teach, or suggest “electrode terminals connected individually to the electrode plates of the power generation element are drawn outward from the package formed by a sheet.”

Hinton et al. discloses tabs 16A and 16B that make direct contact with an anode and cathode inside the battery cell. However, Hinton et al. does not disclose, teach, or suggest that tabs 16A and 16B are “electrode terminals connected individually to the electrode plates of the power generation element” or that such tabs are “drawn outward from the package formed by a sheet.” Therefore, it would not have been obvious to one of ordinary skill in the art to have modified the battery pack cooling structure disclosed by Ogata et al. by the teachings of Hinton et al. to make the battery module of claims 1, 7, or 8. Nor would one of ordinary skill in the art have had motivation to make such a modification. Withdrawal of this rejection is respectfully requested.

Applicant believes that the present application is now in condition for allowance.
Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

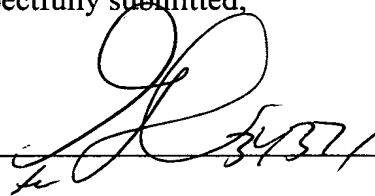
The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date

1/30/06

By



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